

## **STATUS OF THE CLAIMS**

Claims 1-29 were originally filed in this patent application. In response to an earlier office action, claims 18 and 24 were amended and claims 19, 20, 25 and 26 were cancelled. In the pending office action claims 1-18, 21-24, 27 and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Olsen *et al.* (U.S. 7,146,336) (hereinafter Olsen) and Barker (GB 2357679A). No claim was allowed. Claim 15 has been amended herein. Claims 1-18, 21-24 and 27-29 are currently pending.

## **REMARKS**

### **Rejection of claims 1-18, 21-24 and 27-29 under 35 U.S.C. §103(a)**

The Examiner rejected claims 1-18, 21-24 and 27-29 under 35 U.S.C. §103(a) as being as being unpatentable over Olsen and Barker. In response, claim 15 has been amended. An interview with the Examiner and the Examiner's supervisor was conducted on January 3, 2009. The cited art was contrasted with the claimed invention as described below. The Examiner indicated that the claims would overcome the cited art if the applicant would amend claim 15 to make it similar in scope to the other claims. Reconsideration and allowance of the claims is respectfully requested.

In the Examiner interview, the invention was described and distinguished over the prior art. In the claimed invention, there is conditional access to execution data by both the computer customer and the vendor depending on transmission of the execution data to the computer vendor. The customer is only allowed to access the execution data on the customer's machine if the customer is willing to share (transmit) that execution data with the vendor. The Examiner's arguments and the cited art describe the typical privilege access to data by a registered user of a computer system. The cited art, singularly or in combination does not teach or suggest the claimed invention herein. The cited art does not teach or suggest the conditional access to data in the manner claimed.

### Conclusion

In summary, none of the cited prior art, either alone or in combination, teach, support, or suggest the unique combination of features in applicants' claims presently on file. Therefore, applicants respectfully assert that all of applicants' claims are allowable. Such allowance at an early date is respectfully requested. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

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